



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,878	02/22/2002	Paul Trevithick	PARITY-101J	9151
32488	7590	02/27/2007		
IANDIORIO & TESKA 260 BEAR HILL ROAD WALTHAM, MA 02451-1018			EXAMINER CHANG, JUNGWON	
			ART UNIT 2154	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/080,878	Applicant(s) TREVITHICK ET AL.	
	Examiner Jungwon Chang	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is in response to RCE filed on 12/4/06. Claims 28 and 29 are canceled. Claims 1-27 are presented for examination.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/4/06 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borwankar (US 6,594,693), in view of Murakami et al. (US 6,978,292), hereinafter Murakami.

Art Unit: 2154

5. As to claims 1 and 15, Borwankar discloses the invention as claimed, including a method of characterizing relationships among members of a social network (col. 8, line 53 – col. 9, line 21), the method comprising the steps of:

receiving a plurality of messages communicated during a dialogue between members of a social network (col. 6, lines 17-67, “online group messaging...participants in the group conversation can communicate with each other”);

determining a purpose for each of the messages (col. 7, lines 22-63, “content type line 308 indicates what type of content is contained in a body 312”; col. 8, lines 1-52, “content type tag”);

determining a status of the dialogue (abstract, col. 4, lines 1-13, “terminate the sub-conversation, terminate the conversation, invite a late participant, delete an existing participant”);

determining at least one pattern in the messages communicated during the dialogue (fig. 5b; col. 10, line 51 – col. 11, line 6; col. 4, lines 1-13, “terminate the sub-conversation, terminate the conversation, invite a late participant, delete an existing participant”); and

characterizing the relationships among the members of the social network based on the pattern and purposes of the messages (fig. 4; col. 8, line 53 – col. 9, line 21, “initiator...the person who is responsible for organizing the party...Christmas party committee may have seven other members...A topic such as Dining arrangements associated with the Christmas party conversation has one initiator and one terminator”).

Art Unit: 2154

6. Although Borwankar discloses a status of dialogue and updating the dialogue *message* as the dialogue progresses (col. 1, lines 57-62), Borwankar does not specifically disclose updating the dialogue status. Murakami discloses updating the dialogue status (figs. 4, 7; col. 9, line 51 – col. 11, line 24). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Borwankar and Murakami because Murakami's updating the dialog status would easily able to monitor each members having interest in a specific topic (Murakami, fig. 6; col. 11, lines 5-24).

7. As to claim 2, Borwankar discloses selecting one of a plurality of purpose categories (abstract, col. 4, lines 1-13, "terminate the sub-conversation, terminate the conversation, invite a late participant, delete an existing participant"); and embedding indicia of the selected purpose category in at least one of the plurality of messages (fig. 3; col. 4, lines 14-33; col. 7, line 12 – col. 8, line 52).

8. As to claim 3, Borwankar discloses determining the purpose of at least one of the plurality of messages by extracting the indicia therefrom (fig. 3; col. 7, line 12 – col. 8, line 52).

9. As to claim 4, Borwankar discloses determining the purpose of each of the messages by extracting indicia of such purpose from a body section of each message (312, fig. 3a; 324, fig. 3b; col. 7, line 12 – col. 8, line 52).

Art Unit: 2154

10. As to claim 5, Borwankar discloses determining the purpose of each of the messages by extracting indicia of such purpose from a header section of each message (302-310, fig. 3a; 302-322, fig. 3b; col. 7, line 12 – col. 8, line 52).

11. As to claim 6, Borwankar discloses at least one of the messages is an electronic mail message (col. 1, lines 16-19).

12. As to claim 7, Borwankar discloses wherein the purpose determined for each of the messages is selected from at least one of a note, an acknowledgement, a counter, a reverse counter, a complete, a commit, an acceptance, an offer, an invitation, a withdrawal, an opt-out, a request, and a question (fig. 5b; col. 4, lines 1-13, “invite the conversation, terminate the sub-conversation, terminate the conversation, invite a late participant, delete an existing participant”; col. 10, line 51 – col. 11, line 6, “decline, acceptance, invitation”).

13. As to claim 8, Borwankar discloses wherein the pattern in the messages corresponds to one of a frequency of interaction, a latency in response, a latency in completion, a successful completion ratio, a nonresponsive ration, an unsuccessful ration, and a number of participating members until completion (col. 10, line 51 – col. 11, line 6, “no response after a predetermined amount of time”; col. 9, lines 1-21, “seven other members”).

Art Unit: 2154

14. As to claim 9, Borwankar discloses analyzing the purpose for each of the messages to determine the pattern in the messages (col. 4, lines 1-13, "invite the conversation, terminate the sub-conversation, terminate the conversation, invite a late participant, delete an existing participant"; col. 10, line 51 – col. 11, line 6, "decline, acceptance, invitation").

15. As to claims 10, 11, 13 and 14, Borwankar does not specifically disclose classifying the outcome for each of the messages as one of a favorable, unfavorable, and neutral type and assigning a score to each of the members of the social network participating in the dialogue. However, Murakami discloses classifying the outcome for each of the messages as one of a favorable, unfavorable, and neutral type and assigning a score to each of the members of the social network participating in the dialogue (fig. 4; col. 10, line 10 – col. 11, line 24). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Borwankar and Murakami because Murakami's classifying the outcome and assigning a score would encourage smoother communication by allowing only members to communicate each other who have similar interests (Murakami, col. 12, lines 20-32).

16. As to claims 12 and 25, Borwankar does not specifically disclose incrementing and decrementing the score assigned to a particular one of the participating members in response to favorable purposes associated with messages transmitted by that particular participating member. However, Murakami discloses incrementing and decrementing

Art Unit: 2154

the score assigned to a particular one of the participating members in response to outcomes associated with the messages transmitted by that particular participating member (fig. 4; col. 7, line 51 – col. 8, line 67; col. 10, line 10 – col. 11, line 24). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Borwankar and Murakami because Murakami's adjusting the score would encourage smoother communication by expelling a member who is not suitable in the dialogue (Murakami, col. 12, lines 20-32).

17. As to claim 16, it is rejected for the same reasons set forth in claim 2 above.

18. As to claim 17, it is rejected for the same reasons set forth in claim 4 above.

19. As to claim 18, it is rejected for the same reasons set forth in claim 5 above.

20. As to claim 19, it is rejected for the same reasons set forth in claim 6 above.

21. As to claim 20, it is rejected for the same reasons set forth in claim 7 above.

22. As to claim 21, it is rejected for the same reasons set forth in claim 8 above.

23. As to claim 22, it is rejected for the same reasons set forth in claim 9 above.

Art Unit: 2154

24. As to claims 23, 24, 26 and 27, they are rejected for the same reasons set forth in claims 10, 11, 13 and 14 above.

Response to Arguments

25. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Maclin et al, US 6,584,471, Namikata et al, US 5,949,414, Cittrukke et al, US 6,076,100, Cragun, US 6,557,027 disclose a method and system for monitoring the status of participants and conversation contents.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for


Art Unit: 2154

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 22, 2007


JUNGWON CHANG
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100